



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

September 27, 2012

Asimios Malliakos, Chief
Rules, Announcements and Directives Branch
U.S. Nuclear Regulatory Commission
Mail Stop TWB-05-B01M
Washington, D.C. 20555-0001

Dear Mr. Malliakos:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Final Environmental Impact Statement (FEIS) prepared by the United States Nuclear Regulatory Commission (NRC) for the International Isotopes Fluorine Products, Inc. (IIFP). IIFP has submitted a license application to the NRC to construct, operate, and decommission Phase 1 of a fluorine extraction and depleted uranium deconversion facility in Lea County, New Mexico.

EPA Region 6 provided comments and rated the Draft EIS on February 27, 2012, as "EC-2", i.e. EPA has Environmental Concerns and Requested Additional Information. EPA is pleased that the FEIS includes additional analysis of the proposed action to address our concerns. However, we are offering additional Detailed Comments on air quality mitigation. Please provide our office with a copy of the Record of Decision Document (ROD) to complete the NEPA process.

EPA appreciates the opportunity to review the FEIS. If you have any questions or concerns, please contact Michael Jansky of my staff at jansky.michael@epa.gov or 214-665-7451 for assistance.

Sincerely,

A handwritten signature in black ink, which appears to read "Rhonda Smith", is written over a horizontal line.

Rhonda Smith
Chief, Office of Planning
and Coordination

Enclosure

**DETAILED COMMENTS
ON THE
FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)
FOR THE
PROPOSED FLUORINE EXTRACTION PROCESS
AND
DEPLETED URANIUM DECONVERSION PLANT
LEA COUNTY, NEW MEXICO**

Air Quality Impacts

Table 5-1 – Summary of Potential Mitigation Measures Proposed by IIFP for Construction (Including Preconstruction Activities): An air quality impacts discussion is contained in Table 5-1 in the FEIS, listing several general measures that will be taken as construction best-management practices for the proposed action. In addition to these and all applicable local, state, or federal requirements, EPA recommends that the following additional mitigation measures be included in construction emissions mitigation plans and documentation in order to reduce impacts associated with emissions of NO_x, CO, PM, SO₂, and other pollutants from construction-related activities:

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate at active and inactive sites during workdays, weekends, holidays, and windy conditions;
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions; and
- Prevent spillage when hauling material and operating non-earthmoving equipment and limit speeds to 15 miles per hour. Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- Plan construction scheduling to minimize vehicle trips;
- Limit idling of heavy equipment to less than 5 minutes and verify through unscheduled inspections;
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, prevent tampering, and conduct unscheduled inspections to ensure these measures are followed;

- If practicable, utilize new, clean equipment meeting the most stringent of applicable Federal or State Standards. In general, commit to the best available emissions control technology. Tier 4 engines should be used for project construction equipment to the maximum extent feasible;
- Lacking availability of non-road construction equipment that meets Tier 4 engine standards, the responsible agency should commit to using EPA-verified particulate traps, oxidation catalysts and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site; and
- Consider alternative fuels and energy sources such as natural gas and electricity (plug-in or battery).

Administrative controls:

- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking;
- Develop a construction traffic and parking management plan that maintains traffic flow and plan construction to minimize vehicle trips; and
- Identify sensitive receptors in the project area, such as children, elderly, and infirmed, and specify the means by which impacts to these populations will be minimized (e.g. locate construction equipment and staging zones away from sensitive receptors and building air intakes).